(19)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION No.2072 OF 2006

PETITIONER		Radheshyam Sharma Advocate S/o Shri Manrakhan Prasad Sharma, Aged about 73 years, R/o – Bramhan Para, Rajnandgaon (C.G.)
		Versus
RESPONDENT	1.	State of Chhattisgarh Through Concerned Secretary, D.K.S. Bhawan, Raipur (C.G.)
	2.	Collector Rajnandgaon, Rajnandgaon (C.G.)

Present : Shri Ajay Shrivastava, learned counsel for the petitioner.
Shri Sanjay S Agrawal, learned Govt. Advocate for the State.

ORAL ORDER
(Passed on 20th April, 2006)

This writ petition is entitled to be allowed on a short ground:

The Collector, Rajnandgaon 2nd respondent herein by his order dated 05-09-2005 marked as Annexure P/2 awarded a sum of Rs.12,500/- (Rs. Twelve thousand and five hundred only) as compensation to the petitioner with regard to the injury sustained by him in an accident. Subsequently, the said order was cancelled by the 2nd respondent by issuing an order dated 23rd December 2005 marked as Annexure P/4. The grievance of the petitioner is that the order (Annexure P/2) was issued by the 2nd respondent in utter violation of the principles of natural justice and without giving any opportunity to the petitioner to have his say in the matter. It is trite that in Annexure P/2, the petitioner is beneficiary to receive compensation of Rs.12,500/- (Rs. Twelve thousand and five hundred only). Affected

should be apprised is a mandatory rule flowing from Article 14. That cardinal rule have been violated in the instant case. Therefore, I allow this writ petition quashing the order dated 23rd December 2005 (Annexure P/4). However, this order shall not come in the way of 2nd respondent from taking appropriate action as deemed fit after issuing notice to the petitioner and giving him reasonable opportunity of being heard. No costs.

Sd/-
Chief Justice

Karmale